

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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AMERICAN GIRL, LLC,

Plaintiff,

-against-

21 **CIVIL** 2372 (MKV)

**JUDGMENT**

ZEMBRKA d/b/a WWW.ZEMBRKA.COM and  
WWW.DAIBH-IDH.COM; WWW ZEMBRKA  
COM; and WWW.DAIBHIDH.COM,

Defendants.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated April 28, 2021, As stated herein, Defendant's motion to dismiss Plaintiff's complaint is GRANTED. The Court is aware that this result means that Plaintiff's claims could go unresolved on their merits if Plaintiff chooses not to refile the case in a more appropriate forum. This is an especially acute concern for the Court because the facial evidence of infringement in this case is so persuasive and Defendants have chosen allegedly to counterfeit products related to a quintessential American brand. However, despite what outcome the Court may prefer in a vacuum, courts are bound by the law and cannot subject Defendants to litigation far from their home and without any allegation or showing that jurisdiction is proper here. While Plaintiff may be able to find an appropriate forum in which to seek redress for Defendants' alleged infringements on its brand, this Court is not it. In light of the dismissal of this case, Plaintiff's motion for a preliminary injunction is DENIED and the temporary restraining order previously entered in this case is dissolved.; accordingly, the case is closed.

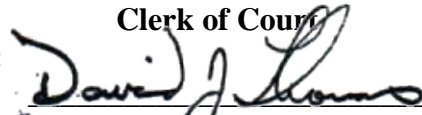
**Dated:** New York, New York  
April 29, 2021

**RUBY J. KRAJICK**

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**Clerk of Court**

**BY:**

  
**Deputy Clerk**